

## REMARKS

Claims 22 and 27-29 are currently amended. No new matter is added and support for the amendments can be found throughout the specification and in the original claims. Upon entry of this amendment, Claims 1, 3 and 22-30 will be pending.

### Priority

The Examiner asserts that there is no support in priority document U.S. Provisional Patent Application No. 60/092,570 (hereinafter, "the '570 application") for the specific administration of secretory phospholipase A2 inhibitors. Administration of secretory phospholipase A2 inhibitors to block A $\beta$  vasoactivity is disclosed on page 21 of the '570 application. Applicants respectfully request that priority for the administration of secretory phospholipase A2 inhibitors be granted back to the filing date of the '570 application.

The Examiner also asserts that the '570 application does not support the treatment of cerebral amyloid angiopathy or vascular amyloidosis. The '570 application teaches the ability to modulate the inflammatory and vasoactive effects of amyloid-beta, providing the basis for novel therapeutic intervention in diseases such as Alzheimer's (pages 3-4). Cerebral amyloid angiopathy and vascular amyloidosis are known conditions associated with the vascular pathology of Alzheimer's disease (Ellis et al. Neurology, 1996, 45:1592-6 and Selkoe et al. Neurobiology Aging, 1989, 10(5):387-95). A method for treating the vascular aspects of Alzheimer's would inherently treat such associated vascular conditions as cerebral amyloid angiopathy and vascular amyloidosis. Therefore, the '570 application provides support for the treatment of cerebral amyloid angiopathy and vascular amyloidosis. Applicants respectfully request priority for the treatment of cerebral amyloid angiopathy and vascular amyloidosis be granted back to the filing date of the '570 application.

### Objections to the Claims

In the Final Office Action mailed October 13, 2006, the Examiner objected to claim 22 under 37 C.F.R. § 1.75(c), as being of improper dependent form for failing to further limit the

subject matter of a previous claim. Applicants have amended claim 22 to place it in proper dependent form. Accordingly, applicants respectfully request withdrawal of the objection.

### **Claim Rejections - U.S.C. § 112, first paragraph**

In the Final Office Action mailed October 13, 2006, the Examiner rejected claims 1, 3 and 23-30 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicants respectfully traverse the rejection.

The Examiner asserts that to provide adequate written description the specification must provide sufficient distinguishing and identifying characteristics of secretory phospholipase A2 inhibitors. Applicants are not claiming a new class of secretory phospholipase A2 (sPLA2) inhibitors, but rather a novel method for regulating amyloid-beta-induced vasoactivity by inhibiting sPLA2 activity. The specification provides an example of a specific sPLA2 inhibitor, oleyloxyethylphosphocholine (page 25). Further, sPLA2 inhibitors were known in the art. Iwama *et al.* teach the structure of phospholipid analogs and their ability to inhibit sPLA2 based on topological similarity to the authentic substrate (Bioorganic & Medicinal Chemistry Letters, 1998, 8:3495-3498). Tanaka *et al.* disclose an sPLA2 inhibitor derived from fungi, thielocin A1 (European Journal of Pharmacology 1995, 279:143-148). Schevitz *et al.* detail the development of LY311727, an indole-based inhibitor of sPLA2 (Nature Structural Biology, 1995, 2:458-465). As evidenced by the above references, a number of divergent compounds are known to have sPLA2 inhibitory activity. The current invention is not dependent on the type of sPLA2 inhibitor used and a description of common structural, chemical or physical characteristics of sPLA2 inhibitors useful in the current invention is neither possible or necessary.

As discussed *In re Herschler*, 591 F.2d 693 (CCPA, 1979), the Court has explicitly distinguished between the level of description necessary for novel aspects and those already known, finding a general description and a specific example sufficient for a known class of steroidal agents. Similarly, the instant application generally describes the known class of sPLA2 inhibitors and then provides a specific example of a member of that class. As in *Herschler*, this combination of general and specific exemplary disclosure provides adequate written description for the claimed invention. For at least the foregoing, Applicants respectfully request withdrawal of the rejection.

**Claim Rejections - U.S.C. § 112, second paragraph**

In the Final Office Action mailed October 13, 2006, the Examiner rejected claims 22, 27, 28 and 30 under 35 U.S.C. § 112, second paragraph, for failing to provide proper antecedent basis for the term “phospholipase A2 inhibitor.” Applicants note that claim 30 provides proper antecedent basis while claim 29 does not. Applicants have amended claims 22 and 27-29 to provide proper antecedent basis. Accordingly, applicants respectfully request withdrawal of the rejection.

**CONCLUSION**

The foregoing is submitted as a full and complete response to the Final Office Action mailed October 13, 2006, and early and favorable consideration of the claims is requested. If the Examiner believes any informalities remain in the application that may be corrected by Examiner's amendment, or there are any other issues which can be resolved by telephone interview, a telephone call to the undersigned agent at (404) 572-2447 is respectfully solicited.

Respectfully submitted,

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